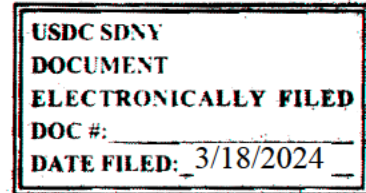


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**



**MARC GOLDNER, GOLDEN BELL
ENTERTAINMENT, LLC, et al.,**

Plaintiffs,

23-CV-04078 (PAE)(SN)

-against-

ORDER TO SHOW CAUSE

**ALEXANDER NORRIS, ANDREWS MCMEEL
UNIVERSAL, LLC, and ANDREWS MCMEEL
PUBLISHING, LLC,**

Defendants.

SARAH NETBURN, United States Magistrate Judge:

Plaintiffs' Counsel Gerard P. Fox is ORDERED TO SHOW CAUSE why he should not be sanctioned pursuant to 28 U.S.C. § 1927, for multiplying the proceedings in this case unreasonably and vexatiously, and under Rule 11 of the Federal Rules of Civil Procedure, for signing a pleading containing a false attorney attestation.

On May 31, 2023, Plaintiffs' Counsel filed the complaint in this action and signed it as "Gerald P. Fox (pro hac vice forthcoming)." ECF No. 3. Plaintiffs' Counsel has never applied for admission pro hac vice. The Court has repeatedly raised Plaintiffs' Counsel's failure to follow through with the representation he made in his pleading to seek admission to the Court pro hac vice. Indeed, as recently as March 12, 2024, the Court raised this issue and Counsel represented that he would file his pro hac vice application within two business days.¹ That self-imposed deadline – itself nearly ten months from Counsel's representation in the pleading – has expired and nothing has been filed.

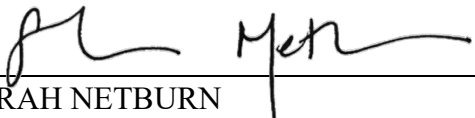
Local Civil Rule 1.3(c) requires that a member in good standing of the bar of any state, who is not otherwise admitted to practice in the Southern District of New York, may apply for

¹ Specifically, Counsel said he would file the application "today or tomorrow."

admission pro hac vice to appear in a particular case. Local Civil Rule 1.5(b)(6) identifies as grounds for discipline before the Committee on Grievances that an attorney “not a member of the bar of this Court has appeared at the bar of this Court without permission to do so.”

Accordingly, Plaintiffs’ Counsel is currently in violation of the Local Civil Rules of this Court. Plaintiffs’ Counsel shall show cause by Tuesday, March 19, 2024, why the Court should not refer this matter to the Committee on Grievances and impose any other just sanctions, including a monetary sanction for every day that Plaintiffs’ Counsel appears in this case without permission to do so.

SO ORDERED.



SARAH NETBURN
United States Magistrate Judge

DATED: March 18, 2024
New York, New York